

LOCKE LIDDELL & SAPP LLP

2200 Ross Avenue
Suite 2200
Dallas, TX 75201-6776

FACSIMILE TRANSMISSION

Main: (214) 740-8000
Fax: (214) 740-8800

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23 JUN 2004

Date: June 23, 2004

12:25 PM

Legal Staff
International Division

PLEASE DELIVER AS SOON AS POSSIBLE TO:

TO	COMPANY	FAX NO.	PHONE NO.
Mr. Charles Smoot	USPTO - PCT Legal Administration	(703) 308-6459	(703) 305-0045

FROM: Mark R. Backofen

PHONE (214) 740-8633

Total number of pages including this page: 16.

If you do not receive all the pages, please call Donna Dobson at (214) 740-8193.

Dear Mr. Smoot:

Per your telephone conversation earlier today with my secretary, Donna Dobson, attached are copies of the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) filed by first class certificate of mailing on March 12, 2004 and the return receipt postcard, stamped as having been received by the USPTO on March 15, 2004 for U.S. national phase application no. 09/889,574.

Thank you for your assistance in this matter.

Sincerely,



Mark R. Backofen

IMPORTANT/CONFIDENTIAL: This facsimile transmission (and/or the documents accompanying it) may contain confidential information belonging to the sender which is protected by the attorney-client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the documents.

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JUN 23 PM12:55

65456/80776

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wang, Guocheng

Serial No.: 09/889,574

Int'l Filing No.: PCT/CN00/00011

Int'l Filing Date: January 21, 2000

Priority Date: February 2, 1999

Title: PERMEABLE MEMBRANE
DIAPHRAGM OF DIFFERENT
LAYERS FOR ELECTROLYTIC CELLS

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned for failure to timely respond to the Notice to File Missing Parts dated August 30, 2001.

Applicant hereby petitions for revival of this application. This petition is accompanied by the petition fee required by 37 CFR §1.137 (b)(2), and by a signed Inventor's Declaration, as required by the Notice to File Missing Parts. The Commissioner is hereby authorized to charge any additional fees that may be required or credit any overpayment to Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

FIRST-CLASS CERTIFICATE OF MAILING

I hereby certify that the papers enclosed herein are being deposited with the United States Postal Service as first class mail with sufficient post under 37 CFR 1.10 on the date indicated below and addressed to: Mail-Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Mark R. Backofen
Mark R. Backofen

March 12, 2004
Date of Deposit

This application became abandoned because of applicant's unintentional failure to file a complete response to the action mailed August 30, 2001, within the six month statutory period expiring February 30, 2002. A Chinese language declaration was submitted on November 30, 2001 in response to the Notice to File Missing Parts that unintentionally did not have an English language translation. No further communication was received from the Patent Office. The entire delay in responding to the Office Action from the due date for the reply to the filing date of this petition under 37 CFR §1.137(b)(3) was unintentional.

Respectfully submitted,

By: *L. Dan Tucker*
L. Dan Tucker
Registration No. 22,670

Date: March 12, 2004
LOCKE LIDDELL & SAPP LLP
2200 Ross Avenue, Suite 2200
Dallas, TX 75201-6776
(214) 740-8730
(214) 740-8800

65456/80776

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wang, Guocheng

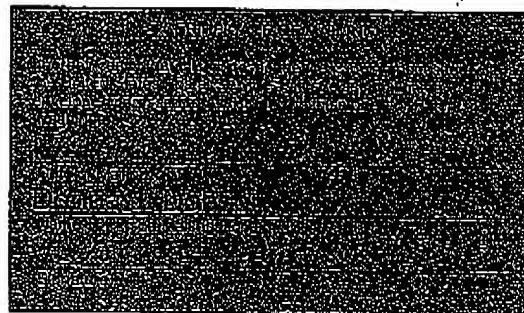
Serial No.: 09/889,574

Int'l Filing No.: PCT/CN00/00011

Int'l. Filing Date: January 21, 2000

Priority Date: February 2, 1999

Title: PERMEABLE MEMBRANE
DIAPHRAGM OF DIFFERENT
LAYERS FOR ELECTROLYTIC CELLS



Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

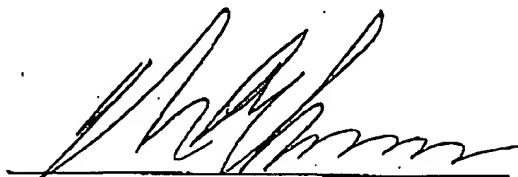
In response to the Notification of Missing Requirements mailed August 30, 2001, attached are the following documents:

1. Fully executed Inventors' Declaration (as filed with the PCT application, in Chinese, the inventor's native language);
2. Copy of Notification of Missing Requirements; and
3. Return receipt postcard.

This response is filed with a one-month request for extension of response. The Commissioner is authorized to charge the fee for the response and the request for extension to Locke Liddell & Sapp LLP Deposit Account No. 12-1781.

Respectfully submitted,

By:



Monty L. Ross

Registration No. 28,899

Date: November 30, 2001
LOCKE LIDDELL & SAPP LLP
2200 Ross Avenue, Suite 2200
Dallas, TX 75201-6776
(214) 740-8519
(214) 740-8800

委 托 书

我/我们是中国的公民/法人, 根据中华人民共和国专利法, 兹委托永新专利商标代理有限公司(地址: 香港九龙尖沙咀东部科学馆道一号康宏广场南座18楼1805-6室)代为办理名称为 电解槽多层可透膜而膜的 发明创造, 向中国专利局提出国际申请, 以及该申请在国际程序中(包括受理局、国际检索单位、国际局和国际初步审查单位)的全部事宜。

委托人 王 国 强 (盖章或签字)

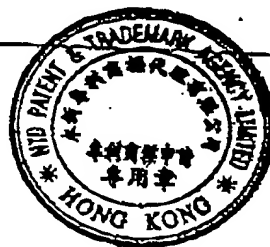
委托单位代表人 _____ (盖章或签字)

委 托 日 期 1999.12.29

以下由专利代理机构填写:

专利代理机构指定 于 毅 为该申请的代理人。

被委托专利代理机构印章 _____





UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO. 09/889,574

WARRANT NAMED APPLICANT

GATTY, DOCKET NO. 5456/80776

09/889574

5071

INTERNATIONAL APPLICATION NO. PCT/DO/BO/911

MONTY L ROSS
LOCKE LIDDELL & SAPP
2200 ROSS AVENUE SUITE 2200
DALLAS, TX 75201-6776

LA. FILING DATE

PRIORITY DATE

01/21/00

02/02/99

08/30/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee. ☒ Indication of Small Entity Status.
☒ Copy of the international application. ☒ Translation of the international application into English.
☐ Oath or Declaration of inventor(s). ☐ Translation of Article 19 amendments into English.
☐ Copy of Article 19 amendments. ☐ Other:
☐ Priority Document.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.

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SEP 04 2001

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the international application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

- Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Lamont Hunter, Paralegal

Telephone: 703.305-3586

FORM PCT/DO/EO/905 (March 2001)

Attorney: MLR/dd

Client/Matter No. 65456/80776

Title: PERMEABLE MEMBRANE DIAPHRAGM OF DIFFERENT LAYERS...

Inventor: Guocheng Wang

Today's Date: 12/28/01

Serial No.: 09/889,574

Filing Date: 07/31/01

International Application No.: PCT/CN00/00011

Int'l Filing Date: 01/21/00

Enclosed for filing in the United States Patent and Trademark Office are the following:

1. Fully executed Inventors' Declaration (as filed with the PCT application, in Chinese, the inventor's native language);
2. Copy of Notification of Missing Requirements; and
3. Return receipt postcard.

65456 80776

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Wang, Guocheng
Serial No.: 09/889,574
International Filing No.: PCT/CN00/00011
International Filing Date: January 21, 2000
Priority Date: February 2, 1999
Title: PERMEABLE MEMBRANE DIAPHRAGM OF DIFFERENT
LAYERS FOR ELECTROLYTIC CELLS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

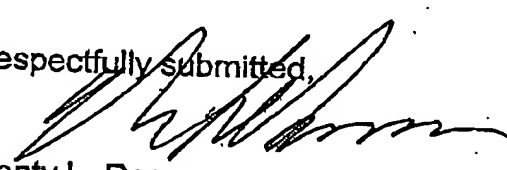
Dear Sir:

TRANSMITTAL OF DECLARATION AND POWER OF ATTORNEY

Attached hereto please find the Declaration and Power of Attorney for the above-captioned patent application.

The Commissioner is hereby authorized to charge Deposit Account No. 12-1781 for any charges which may be due for the filing of the declaration. A duplicate copy of this sheet is attached.

Respectfully submitted,



Monty L. Ross
Registration No. 28,899

Date: 1-28-04
2200 Ross Avenue, Suite 2200
Dallas, TX 75201-6776
214/740-8519 Telephone
214/756-8519 Direct Facsimile
214/740-8800 Facsimile

65456/80776

PATENT

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are as stated below next to my name;
2. I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention, design or discovery entitled:

PERMEABLE MEMBRANE DIAPHRAGM OF DIFFERENT LAYERS FOR
ELECTROLYTIC CELLS assigned Serial No. 09/889,574, filed July 31, 2001

3. I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above;
4. I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability of this application as defined by Title 37, Code of Federal Regulations, §1.56;
5. I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

International Application No. PCT/CN00/00011, filed January 21, 2000,
which claims priority from Chinese Patent Application No. 99202911.2,
filed February 2, 1999

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

NONE

6. I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in §1.56 which

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became available between the filing date of any prior application(s) and the national or PCT international filing date of this application:

International Application No. PCT/CN00/00011, filed January 21, 2000,
which claims priority from Chinese Patent Application No. 99202911.2,
filed February 2, 1999

7. I hereby appoint Monty L. Ross of the firm of LOCKE LIDDELL & SAPP LLP, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith;

Send correspondence to:

Monty L. Ross, Esq.
LOCKE LIDDELL & SAPP LLP
2200 Ross Avenue, Ste. 2200
Dallas, Texas 75201-6776
(214) 740-8519
(214) 740-8800 (fax)

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

1-00
Full name of Inventor: Guocheng Wang

Inventor's Signature: Monty Guo Cheng

Date: Dec 26, 2003

Residence:

3721 Mulanxiaoqu
Qizheng Street
Nangang District
Harbin City CNX
Heilongjiang Province 150080
P.R. China

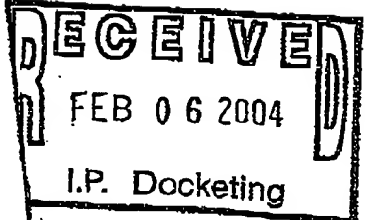
Citizenship:

P.R. China

Attorney: Monty L. Ross
Client/Matter No. 65456 80776
Entitled: Permeable Membrane Diaphragm of Different Layers for Electrolytic Cells
Applicant: Wang
Today's Date: 1/28/04
Serial No. 09/889,574

The following documents were filed in the U.S. Patent and Trademark Office on:

1. Transmittal of Declaration and Power of Attorney
 2. Declaration and Power of Attorney
 3. Return Receipt Postcard
-



REC'D PCT/PTO 29 JAN 2004

Attorney: Monty L. Ross
Client Matter No. 65456 80776

Serial No. 09/889,574

Entitled: Permeable Membrane Diaphragm of Different Layers for Electrolytic Cells

Applicant: Wang

Today's Date: 1/28/04

The following documents were filed in the U.S. Patent and Trademark Office on:

1. Transmittal of Declaration and Power of Attorney
2. Declaration and Power of Attorney
3. Return Receipt Postcard

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22311-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/889,574		Guocheng Wang	65456/80776

Monty L Ross
Locke Liddell & Sapp
2200 Ross Avenue Suite 2200
Dallas, TX 75201-6776

CONFIRMATION NO. 1693
ABANDONMENT/TERMINATION
LETTER

OC000000011982869

Date Mailed: 02/27/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 08/30/2001.

- The reply received on was untimely.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

[illegible]

DATE 03-12-04

573000

Edward E. Taylor
Cheryl Wilson

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR §1.137(b) (2 pages);
2. Copy of response to Notification of Missing Requirements as filed November 30, 2001 (5 pages);
3. Copy of Transmittal of Declaration and Power of Attorney as filed January 28, 2004 and file-stamped return receipt postcard (5 pages);
4. Copy of Notice of Abandonment (1 page);
5. Check no. 79915 in the amount of \$730, the fee for the petition and response to Notification of Missing Requirements for a small entity; and
6. Return receipt postcard.

Attorney: MRB/dd

Client/Matter No. 65456 / 80776

Title: PERMEABLE MEMBRANE DIAPHRAGM

Serial No.: 09/889,574

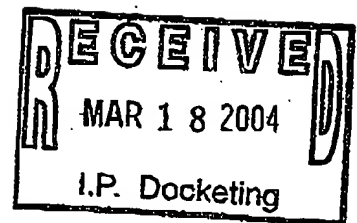
OF DIFFERENT LAYERS FOR ELECTROLYTIC CELLS

Inventor: Wang, Guocheng

Today's Date: 03/12/04

Enclosed for filing in the United States Patent and Trademark Office via first class mail are the following:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR §1.137(b) (2 pages);
2. Copy of response to Notification of Missing Requirements as filed November 30, 2001 (5 pages);
3. Copy of Transmittal of Declaration and Power of Attorney as filed January 28, 2004 and file-stamped return receipt postcard (2 pages);
4. Copy of Notice of Abandonment (1 page);
5. Check no. 79915 in the amount of \$730, the fee for the petition and response to Notification of Missing Requirements for a small entity; and
6. Return receipt postcard



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